



Burial and Cremation (Scotland) Act 2016

2016 asp 20

PART 3

ARRANGEMENTS

Adults and children

67 Arrangements under sections 65 and 66

- (1) This section applies where a person is entitled by virtue of section 65(2) or 66(2) to make the arrangements for the remains of an adult or child to be buried or cremated.
- (2) The person may decide whether the remains are to be buried or cremated.
- (3) In making a decision for the purposes of subsection (2), the person must, so far as known to the person, have regard to—
 - (a) any wishes that the adult or child expressed as to the burial or cremation of the remains, and
 - (b) whether the adult or child is of a particular religion or belief.
- (4) In this section—
 - “adult” has the meaning given by section 65(8),
 - “belief” has the meaning given by section 10(2) of the Equality Act 2010,
 - “child” has the meaning given by section 66(7),
 - “religion” has the meaning given by section 10(1) of the Equality Act 2010.
- (5) This section is subject to section 92 of the Public Health etc. (Scotland) Act 2008.

Commencement Information

II S. 67 in force at 4.4.2019 by S.S.I. 2018/380, reg. 2, **sch.** (with reg. 8)

Changes to legislation:

There are currently no known outstanding effects for the Burial and Cremation (Scotland) Act 2016, Section 67.